

The Gazette of India



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No. 10] NEW DELHI, SATURDAY, MARCH 5, 1960/PHALGUNA 15, 1881

NOTICE

The undermentioned Gazette of India Extraordinary were published upto the 26th February, 1960 :—

Issue No.	No. and date	Issued by	Subject
25	S.O. 452, dated 20th February, 1960.	Ministry of Information and Broadcasting.	Approval of films specified therein.
26	S.O. 453, dated 23rd February, 1960.	Ministry of Law . . .	The President calling upon the elected members of the Legislative Assembly etc. of each State specified therein to elect the number of members specified against that State.
27	S.O. 454, dated 23rd February, 1960.	Election Commission, India	Appointing dates for biennial elections for making nominations etc. (except Bombay) regarding S.O. No. 453 above.
	S.O. 455, dated 23rd February, 1960.	Do. . .	Details regarding Returning Officer and Assistant Returning Officer regarding S.O. No. 453 above.
	S.O. 456, dated 23rd February, 1960.	Do. . .	Fixation of hours regarding S.O. No. 453 above.
	S.O. 457, dated 23rd February, 1960.	Do. . .	Appointment of dates for making nominations etc. for the State of Bombay regarding S.O. No. 453 above.
28	S.O. 458, dated 23rd February, 1960.	Do. . .	Calling upon the Unnao Parliamentary constituency to elect a person to fill a vacancy.

Issue No.	No. and date	Issued by	Subject
	S.O. 459, dated 23rd February, 1960.	Election Commission, India	Appointing dates for the by-election for making nominations etc. regarding S.O. 458 above.
	S.O. 460, dated 23rd February, 1960.	Do. . .	Fixation of hours regarding S.O. 458 above.
	S.O. 461, dated 23rd February, 1960.	Do. . .	Direction that method of voting by marking the ballot paper shall be followed at all the polling stations regarding S.O. 458 above.
29	S.O. 518, dated 26th February, 1960.	Do. . .	Calling upon elected members of the Legislative Assembly of Madras to elect a person in the Council of States to fill a vacancy.
	S.O. 519, dated 26th February, 1960.	Do. . .	Appointing dates for nomination etc. for the above election (S.O. 518).
	S.O. 520, dated 26th February, 1960.	Do. . .	Designating the Secretary, Legislature Department, Madras, to be the Returning Officer for the above referred election (S.O. 518).
	S.O. 521, dated 26th February, 1960.	Do. . .	Appointing the Assistant Secretary, Legislature Department, Madras, to act as Assistant Returning Officer for the election referred to in S.O. 518.
	S.O. 522, dated 26th February, 1960.	Do. . .	Fixation of hours with regard to the election referred to in S.O. 518.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 26th February 1960

S.O. 532.—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Maharaj Kumar Harishchandrasinhji Ranjitsinhji Rana,

brother of the ruler of Jambughoda, for the purposes of that entry and directs that the exemption shall be valid in respect of 1 gun/rifle and 1 pistol/revolver.

[No. 16/18/59-P.IV.]

New Delhi-11, the 29th February 1960

S.O. 533.—The Central Government is pleased to notify that Sawai Raja Bahadur Kaushlcndra Vikram Singh, son of His Highness the Maharaja of Ajaiigarh, has been nominated by the said Ruler for the purposes of entry 2(b) of the table annexed to Schedule I to the Indian Arms Rules, 1951.

[No. 16/4/60-P. IV.]

C. P. S. MENON, Dy. Secy.

New Delhi, the 29th February 1960

S.O. 534.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Lieutenant Governor, Himachal Pradesh, the Chief Commissioner, Delhi, the Chief Commissioner, Manipur and the Chief Commissioner, Tripura shall subject to the control of the President and until further orders, exercise the powers and discharge the functions of the State Government under the Working Journalists (Fixation of Rates of Wages) Act, 1958 (29 of 1958), within their respective jurisdictions.

[No. F. 2/3/60-Judl.II.]

K. R. PRABHU, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 26th February 1960

S.O. 535.—In pursuance of clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths & Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri S. Gandy, Indian Seamen Welfare Officer and Assistant Commissioner, High Commission of India in the United Kingdom, Liverpool Office, Liverpool, to perform the duties of a 'Vice-Consul' with immediate effect.

[No. F. 6(2)-Cons/59.]

S.O. 536.—In pursuance of clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths & Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri P. V. K. Christie, Indian Seamen Welfare Officer and Assistant Commissioner, High Commission of India in the United Kingdom, Glasgow Office, Glasgow, to perform the duties of a 'Vice-Consul' with immediate effect.

[No. F. 6(2)-Cons/59.]

S.O. 537.—In pursuance of clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths & Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri M. L. Trivedi, Assistant Commissioner, High Commission of India in United Kingdom, Birmingham Office, Birmingham, to perform the duties of a 'Vice-Consul' with immediate effect.

[No. F. 6(2)-Cons/59.]

G. P. MATHUR, Attaché (Consular).

New Delhi, the 29th February 1960

S.O. 538.—In exercise of the powers conferred by Sections 3 and 4 of the Foreign Jurisdiction Act, 1947 (47 of 1947), and of all other powers enabling it in this behalf, the Central Government hereby makes the following Order, namely:—

1. (1) This Order may be called the State of Pondicherry (Representation of the People) Second Amendment Order, 1959.

(2) It shall come into force at once.

2. (1) After paragraph 29 of the State of Pondicherry (Representation of the People) Order, 1955 (hereinafter referred to as "the Order"), the following shall be inserted as Paragraph 29-A, namely:—

"29-A. Revision of Electoral Rolls.—(1) The Electoral roll now in force shall be revised every year commencing with the year 1960 the qualifying date with reference to which the revision is to be made being taken as 31st March:

Provided that if for any reason the electoral roll is not revised in any year the validity or continued operation of the electoral roll shall not thereby be affected.

(2) Notwithstanding anything contained in sub-section (1), the Chief Commissioner may, at any time, for reasons to be recorded, direct a special revision of the electoral roll for any constituency or part of a constituency in such manner as he may think fit:

Provided that, subject to the other provisions of this Order, the electoral roll for the constituency, as in force at the time of the issue of any such direction, shall continue to be in force until the completion of the special revision so directed.

(3) For the purpose of the revision of the electoral roll for any constituency under sub-sections (1) and (2), a list of amendments to the electoral roll for the time being in force shall be prepared and the provisions of paragraphs 22 to 29 of this Order, shall, so far as may be, apply in relation to the preparation of such list as they apply in relation to the preparation of the electoral roll."

(2) For the existing paragraph 30(1), the following shall be substituted, namely:—

"30. Revision of electoral rolls in special cases.—(1) At any time prior to thirty days immediately preceding the commencement of the poll in a "constituency any person whose name is not included in the electoral roll of that constituency may, on payment of a fee of Re. 1/-, make an application to the Electoral Registration Officer for the inclusion of his name in the electoral roll of that constituency:

Provided, however, if at the time the application is made, the notification under paragraph 36 has issued, the fee payable shall be Rs. 5/-."

(3) In paragraph 48 for the words "two counting agents" the words "such number of counting agents as may be prescribed by the Returning Officer", shall be substituted.

(4) In paragraph 38 for Clauses (b) and (c), the following shall be substituted, namely:—

- (b) the date or dates for the scrutiny of nominations the first of which shall be a date not later than the third day after the last date of making nominations;
- (c) the last date for the withdrawal of candidature which shall be the third day after the date or the last of the dates for the scrutiny of nominations; and"

(5) Under Part X-Miscellaneous, before Paragraph 105, the following shall be inserted as Paragraph 104-A, namely:—

"104-A. Elections to more than one seat in the Representative Assembly or in a Municipal Council.—(1) If a person is elected to more than one seat in the Representative Assembly or in a Municipal Council, then, unless within the prescribed time he resigns all but one of the seats in writing addressed to the Chief Commissioner, all the seats shall become vacant.

(2) The prescribed time shall be as follows:—

- (a) where the declaration of the election to the seats is made on the same day, fourteen days from that date;
- (b) where the dates of declaration of his election to the several seats are different fourteen days from the last of those dates."

3. In Schedule II to the Order,—

(1) In Clause 9, the word "over" shall be deleted and the following words "on or against" be substituted in its place.

(2) After Clause 14, the following shall be inserted as Clauses 14-A to 14-D:—

"14-A. Special procedure of postal ballot for electors employed on duty at polling stations.—(1) A presiding Officer, a Polling Officer, any other public servant or a polling agent, who is an elector in a constituency and is by reason of his being on duty at a polling station unable to vote at the polling station where he is entitled to do so, may, on application, be allowed to record his vote in that constituency by postal ballot.

(2) Every such application shall be addressed to the Returning Officer of the constituency, shall specify the name of the elector, his address and his electoral roll number and shall be made at least seven days, or such less period as the Returning Officer may in any particular case allow, before the date or the first of the dates fixed for the poll.

(3) If the Returning Officer is satisfied that the applicant is entitled to vote by postal ballot under sub-clause (1) he shall make arrangements for the supply of a postal ballot paper to him.

14-B. Form of postal ballot papers.—(1) A postal ballot paper to be used at elections under Clause 14-A shall be in Form IX and shall be in such language or languages, in whole or in part, as the Chief Electoral Officer may direct.

(2) The names of the candidates shall be arranged in a postal ballot paper in the same order in which they appear in the list of contesting candidates.

14-C. Issue of postal ballot papers.—(1) The Returning Officer shall, as soon as practicable send a postal ballot paper by registered post to each elector entitled to vote by postal ballot under Clause 14-A and shall at the same time—

(a) enter on the counterfoil of the ballot paper the name of the elector to whom the ballot paper is sent and his electoral roll number; and
 (b) take necessary steps to ensure that the elector is not allowed to vote at a polling station.

(2) Along with the ballot paper, the Returning Officer shall send to the elector—

(a) a declaration in Form X;
 (b) a cover in Form XI;
 (c) a large cover addressed to himself in form XII; and
 (d) instructions for the guidance of the elector in Form XIII.

(3) Every Officer under whose care or through whom a postal ballot paper is sent shall ensure that the same is delivered to the addressee without delay.

(4) After ballot papers have been issued to all the electors entitled to vote by postal ballot, the returning officer shall seal up in a packet the counterfoils of all such ballot papers and record on the packet a brief description of its contents, the name of the constituency and the date on which he seals it.

(5) No election shall be invalidated by reason that an elector has not received his ballot paper provided that a ballot paper has been issued to him in accordance with these rules.”.

14-D. Recording of votes on postal ballot papers.—(1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained therein; he shall then secure the same in the cover in Form XI.

(2) The elector shall sign the declaration in Form X in the presence of and have the signature attested by any of the following persons:—

- (a) any Secretary to Government, Deputy Secretary or Under Secretary;
- (b) any Head of the Department of Government;
- (c) any Member of the Representative Assembly;
- (d) any Mayor or Councillor of a Municipal Council;
- (e) any Magistrate but not a Village Magistrate.
- (f) any other Officer prescribed by the Chief Commissioner."

4. In Schedule III to the Order,—

(1) For the existing Form VI, the following Form shall be substituted:—

(2) After Form VIII, the following Forms shall be inserted as Forms IX to XIII:—

FORM VI

(See Clause 13 of Schedule II)

List of challenged votes

Election to the Representative Assembly 19
Municipal Council.

.....Constituency.

Polling Station.....

Serial No. of entry	Name of Elector	Serial number of		Signature or thumb impression of the person challenged	Address of the person challenged	Name of identifier if any	Name of challenger	Order of Presiding Officer	Signature of challenger on receiving refund of deposit
		Part or roll	Elector's name in that part						
1	2	3	4	5	6	7	8	9	10

Date.....

Signature of Presiding Officer.

FORM IX

COUNTERFOIL OF POSTAL BALLOT
PAPER(See Clause 14-B(1)
ELECTION)to the*
from the constituency
Serial number of ballot paper.....

FORM IX

POSTAL BALLOT PAPER
[See Clause 14-B(1)]

ELECTION

to the*
from the constituency.
Serial number of ballot paper

Name of elector.....

Serial number of the part of electoral roll con-
taining the elector's name.....Serial number of the elector's name in that
part.....

Serial No.	Name of candidate	Candidate's Name and party	facsimile	Mark
			affiliation, etc. of if any	symbol allotted

1	2	3	4	5
---	---	---	---	---

1.

2.

3.

4.

etc.

DIRECTIONS TO ELECTOR

- (1) Before recording your vote read carefully the following directions and also the instructions in Form XIII sent with this ballot paper.
- (2) You must not vote for more than one candidate. If you do, your ballot paper will be rejected.
- (3) Record each vote by placing clearly a mark in column 5 of the ballot paper opposite the name of the candidate to whom you wish to give the vote.
- (4) The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given the vote, that vote will be invalid.
- (5) Your vote is secret. You must not put your signature on the ballot paper or make any other mark on it which will reveal your identity. If you do, your ballot paper will be rejected.

*Appropriate particulars of the election to be inserted here.

*Appropriate particulars of the election to be inserted here.

FORM X

Declaration by Elector

[See Clause 14-C(2(a))]

Election to the*.....from the.....constituency.

(This side is to be used only when the elector signs the declaration himself.)

I hereby declare that I am the elector to whom the postal ballot paper bearing Serial number.....has been issued at the above election.

Signature of elector.

Address

Attestation of signature

The above has been signed in my presence by.....(elector) who** is personally known to me/has been identified to my satisfaction by(identifier) who is personally known to me.

Signature of identifier, if any

Address

Signature of the Attestor

Designation

Address

Date

(This side is to be used when the elector cannot sign himself)

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number has been issued at the above election.

Signature of Attestor on behalf of elector.

Address of Elector

CERTIFICATE

I hereby certify that—

- (1) the above named elector** is personally known to me/has been identified to my satisfaction by (identifier) who is personally known to me;
- (2) I am satisfied that the elector **is illiterate/suffers from (infirmity) and is unable to record his vote himself or sign his declaration;
- (3) I was requested by him to mark the ballot paper and to sign the above declaration on his behalf; and
- (4) the ballot paper was marked and the declaration signed by me on behalf, in his presence and in accordance with his wishes.

Signature of identifier, if any

Address

Signature of the Attestor

Designation

Address

Date

*Appropriate particulars of the election to be inserted here.

**Strike off the inappropriate alternative as necessary.

FORM XI

[See Clause 14-C(2)(b)]

NOT TO BE OPENED BEFORE COUNTING
ELECTION

to the*

POSTAL BALLOT PAPER

Serial number of ballot paper

*Appropriate particulars of the election to be inserted here.

FORM XII

Cover

[See Clause 14-C(2) (c)]

B.

NOT TO BE OPENED BEFORE COUNTING

ELECTION-IMMEDIATE
POSTAL BALLOT PAPERElection to the *Representative
Assembly

Municipal Council of

The Returning Officer

**

*Strike off the unnecessary alternative.

**Full postal address of the Returning Officer to be inserted here.

FORM XIII

Instructions for the Guidance of Electors

[See Clause 14-C(2)(d)]

Election to the* from the constituency.

The persons whose names are printed on the ballot paper sent herewith are candidates at the above election. If you desire to vote, you should record your vote in accordance with the directions given on the ballot paper and then follow the instructions detailed below:

- (a) After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.
- (b) You have then to sign the declaration in Form X, also sent herewith, in the presence of a person competent to attest your signature. Such person must be any Secretary to Government, Deputy Secretary or Under Secretary or any Head of the Department of Government or any Member of the Representative Assembly or any Mayor or Councillor of Municipal Council or any Magistrate, but not a Village Magistrate or any other Officer prescribed by the Chief Commissioner, and sign it in his presence after he has been satisfied about your identity. The person will attest your signature and return the declaration to you. You must not show your ballot paper to the attestor nor tell him how you have voted.

*Appropriate particulars of the election to be inserted here.

- (c) If you are unable to mark the ballot paper and sign the declaration yourself in the manner indicated above by reason of illiteracy, blindness or other infirmity, you are entitled to have your vote marked and the declaration signed on your behalf by any person mentioned in item (b). Such a person will at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.
- (d) After your declaration has been signed and your signature has been attested in accordance with item (b) or item (c), place the declaration in Form X as also the smaller cover marked 'A' containing the ballot paper, in the larger cover marked 'B'. After closing the larger cover send it to the Returning Officer by registered post or by messenger.
- (e) You must ensure that the cover reaches the Returning Officer before 5 P.M. on the.....(date).
- (f) please note that—
- (i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and
 - (ii) if the cover reaches the returning officer after 5 P.M. on the(date) your vote will not be counted.

[No. F. 48(3)-EUR(W)/59/GP.]

A. DAS GUPTA, Under Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 26th February 1960

S. O. 539—Statement of the Affairs of the Reserve Bank of India, as on the 19th February 1960

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	18,06,26,000
Reserve Fund	80,00,00,000	Rupee Coin	2,35,000
National Agricultural Credit (Long-term Operations) Fund	30,00,00,000	Subsidiary Coin	5,12,000
National Agricultural Credit (Stabilisation) Fund	4,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal	
(a) Government		(b) External	
(1) Central Government	50,75,28,000	(c) Government Treasury Bills	21,28,13,000
(2) Other Governments	26,46,97,000	Balances held abroad*	39,83,91,000
(b) Banks	75,58,76,000	**Loans and Advances to Governments	24,62,84,000
(c) Others	108,52,14,000	Other Loans and Advances†	121,22,55,000
Bills Payable	20,67,02,000	Investments	202,80,47,000
Other Liabilities	40,38,41,000	Other Assets	13,46,95,000
TOTAL	441,38,58,000	TOTAL	441,38,58,000

*Includes Cash & Short-term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 5,35,70,000/- advanced to scheduled banks against usance bills under Section 17 (4)(c) of the Reserve Bank of India Act.

Dated the 24th day of February, 1960.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 19th day of February 1960.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department . . .	18,06,26,000		A. Gold Coin and Bullion:-		
Notes in circulation . . .	<u>18,06,55,48,000</u>		(a) Held in India . . .	117,76,03,000	
Total Notes issued . . .		18,24,61,74,000	(b) Held outside India		
			Foreign Securities	<u>163 00,89,000</u>	
			TOTAL OF A . . .		180,76,92,000
			B. Rupee Coin . . .		126,55,32,000
			Government of India Rupee Securities . . .		14,17,29,50,000
			Internal Bills of Exchange and other commercial paper . . .		
TOTAL—LIABILITIES	18,24,61,74,000		TOTAL—ASSETS . . .		18,24,61,74,000

Dated the 24th day of February, 1960.

H V R INGAR,
Governor.

[No. F. 2(2)-BC/60.]
A. BAKSI, Jt. Secy.

ERRATUM

In the Statement of Affairs of the Reserve Bank of India as on 29th January, 1960, published in the Gazette of India Part II—Section 3(ii) dated 13th February, 1960, the following correction is to be made:—

Page 668—

In the Liabilities column under Issue Department, against 'Notes in circulation'—
for "1766,44,42,000"
read "1767,44,42,000"

(Department of Revenue)

INCOME-TAX

New Delhi, the 22nd February 1960

S.O. 540.—In pursuance of the provisions of item (iii) of paragraph 15(1) of the Part B States (Taxation Concessions) Order, 1950, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the Ministry of Finance (Revenue Division) No. 31, dated the 14th May, 1954, namely.

In the Table annexed to the said Notification in serial No. 29B, (inserted by Notification No. 21 dated the 30th March 1955) for the items occurring in column 2, the following item shall be substituted, namely:—

“Donald Lodge, Simla.”

Explanatory note

[This does not form part of the amendment but is intended to be merely clarificatory].

The amendment has become necessary as the “Kaiser bagh Palace” has ceased to be an official residence of the Ruler of Dholpur.

[No. 19(22)/28/59-IT.]

N. S. RAGHAVAN, Under Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 5th March, 1960

S.O. 541.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry and in supersession of the Notification of Government of India, Ministry of Finance (Revenue Division) No. 7 Customs dated the 8th January, 1952, the Central Government hereby appoints officers of the Collectorate of Central Excise, Baroda mentioned below to be officers of Customs within their respective jurisdictions and to exercise the powers conferred and to perform the duties imposed by the said Act on such officers:—

- (1) The Collector of Central Excise.
- (2) The Deputy Collector of Central Excise.
- (3) All Assistant Collectors of Central Excise.
- (4) The Assistant Collector of Customs, Rajkot Division, Rajkot.
- (5) All Superintendents of Central Excise.
- (6) All Deputy Superintendents of Central Excise.
- (7) All Inspectors of Central Excise, including those employed in Preventive Intelligence and Flying Squad organisation.
- (8) All Sub-Inspectors of Central Excise.
- (9) All Women Searchers.
- (10) All Sepoys of Central Excise.

[No. 21.]

S.O. 542.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry and in supersession of Government of India, Ministry of Finance (Revenue Division) Notification No. 79-Customs, dated the 19th August, 1958, the Central Government hereby appoints the Superintendent of Central Excise in charge of the—

Vapi
Bombay I
Bombay L
Murud
Ratnagiri
Karwar
Dodamar

Circles of the Bombay Central Excise Collectorate and all Deputy Superintendents, Inspectors, Sub-Inspectors and Sepoys borne on the establishment of the Bombay Central Excise Collectorate, who are for the time being posted to a Customs House, to be officers of Customs and to exercise the powers conferred and perform the duties imposed by the said Act on such officers.

[No. 22.]

S.O. 543.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the Notification of the Government of India in the Ministry of Finance (Revenue Division) No. 136-Customs, dated the 1st November, 1954, namely:—

In the Schedule to the said Notification, in the third column against Serial No. 1 for the words "Superintendent of Customs, Karlkal", the words "Deputy Superintendent of Central Excise, Karikal" shall be substituted.

[No. 23.]

M. C. DAS, Dy. Secy.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE & LAND CUSTOMS' GOA FRONTIER DIVISION, BELGAUM.

NOTICES

Belgaum, the 20th February 1960

To

Shri Vithal Vishnu Naik of Doda (Usgaon) Goa.

S.O. 544.—Whereas a notice to show cause issued to you under the Land Customs Act 1924 Imports and Exports Control Act 1947 is pending in the office of the undersigned you are requested to take delivery of the said notice on any working day within thirty days from the date of publication of this intimation failing which the case will be decided ex parte.

No. VIII(b)10-549/59/3461]

Belgaum, the 23rd February 1960

S.O. 545.—Whereas it appears that the goods as mentioned in the undermentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possession in India) in contravention of the Rules and Notifications as mentioned against each.

S.No.	Date & Place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
28/60.	1-8-1958 Hatkikeri	Head Cons- stable of Police, An- kola.	Betelnuts of Goa Challi- variety.	Mds. Srs. 33—34	Section 5(1) of the Land Customs Act, 1924, Government of India Ministry of Commerce and Industry, Imports and Exports Control Order 17/55 dated 7th December, 1955 issued under Section 3(2) of the Imports & Exports Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act 1878.

Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier

Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act 1924 read with Section 167(8) of the Sea Customs Act, 1878 and Section 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above-mentioned unclaimed goods or to Show Cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-28/60.]

Belgaum, the 24th February 1960

S.O. 546.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were about to be exported by land and by Sea from India to Goa (Portuguese possession in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & place of scizure	By whom de- tected	Description of goods	Quan- tity	Rules contravened
1	2	3	4	5	6
29/60	Kankumbi jun- gle on 30-12-59.	Pl. Commander, S.R.P. Kan- kumbi	1. Ark silk 9 Yrds. Sarees 2. Cotton 9 Yrds. Sarees 3. Cotton Chaddars 4. Mudis tea tins 5. Lemons	57 106 3 5 550	Export Control Order No. 1/58 of 1-5-58 issued under Sec- tions 3 & 4-A of the Imports and Ex- ports Control Act 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878.
31/60	Chorla jungles on 31-12-59.	Jamadar Chowky No. 67	1. Art silk 9 yards, Sarees 2. Cotton Sarees 3. Green cotton medium quality 9 yards saree 4. Brass plates 5. Brass plates small size 6. Brass plates (Car- ved) B.S. 7. Brass plates (Carved) S.S. 8. Steel trunk Black 9. Hand-bag of white cloth 10. Turpoil cloth 1 piece 11. Art silk Sari Blue colour 12. Art silk Sari Green colour 13. Art silk blue underwear 14. Printed Sari Red colour 15. Art silk cloth printed piece 16. Ordinary cloth Rose colour	38 12 1 41 44 12 36 1 1 1 1 1 1 1 1 1 1 1	Do. Do. (in respect of items 1 to 56 except S. No. 35) and Reserve Bank of India Noti- fication No. FERA 172/59 dt. 17-6-59 issued under Sec. 8(2) of the Foreign Exchange Regula- tion Act 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act 1878 (in respect of item No. 35 i.e. 1/currency.)
33/60	Hippali Fore- shore Majali Port on 7-12-59	Sub-Inspr. Majali Port.			

I	2	3	4	5	6
Continued					
33/60					
14.	Ordinary cloth Yellow colour			1 piece	
15.	Ordinary cloth faint rose colour			1	
16.	Ordinary cloth Dark rose colour			1 Yrd.	
17.	Ordinary cloth Blue colour			1 Yrd.	
18.	Ordinary cloth White printed			1 Yrd.	
19.	Ordinary cloth blue printed			1 Yrd.	
20.	Art silk cloth blue colour			1 Yrd.	
21.	Woollen Cap Monkey type			1	
22.	Vests cotton Calco made			2 Yrds.	
23.	Fowel small size			1	
24.	Black colour Saree 6 Yds.			1	
25.	Khaki Half-pants			2	
26.	Khaki Shirts small size			2	
27.	Khaki cloth 3 yards. piece			1	
28.	Hand-kerchiefs			3	
29.	Faint coloured khaki cloth			1	
30.	Woollen pant Blue			1	
31.	Sky colour pant			1	
32.	Ash colour pant			1	
33.	Plastic hand-bag			1	
34.	Blanket ash colour			1	
35.	Indian currency Rupees			70	
36.	Soap powder pac- ket 'Hudson' Bra- and			5 pkts.	
37.	Soap powder 'Rinso' Brand			3 Pkts.	
38.	Soap cakes Sunlight			75	
39.	Toilet Soap 'Ooingreen'			9 cakes.	
40.	Shelt tox tin for spray 1 gallon			1 tin.	
41.	Nestle Brand coffee tins			6 tins.	
42.	Yellow peaches in Syrup 1 lb. 13 ozs.			1	
43.	Chiress Brand Orange Marmalade			1 tin.	
44.	Modern brand tin fish in all 2 tins				
45.	Milk tins of Nestle condensed each of 14 ozs			5 tins.	
46.	Nestle Brand coffee tins each of 2 ozs.			5 tins.	
47.	Cloth bag of cloves and Black pepper			3 lbs.	

1	2	3	4	5	6
			48 Wooden Branch 100 packets 1/2 lb. each	7 Pkts.	
			49. Pair of Pathani shoes	1	
			50. White cloth bag	1	
			51. White cloth Old	1	
			52. Blue shirts (old)	1	
			53. Towels Old	2 Nos.	
			54. Full pants of old cloth	2	
			55. Socks Pair old	1	
			56. Value of Gun- nies	4 Nos.	

Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt Collector of C. Ex., Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act 1924 and Section 167(8) of the Sea Customs Act, 1878 and Section 168 of the Sea Customs Act 1878 read with Section 3(2) of the Imports and Exports Control Act, 1947 and Section 23-A of the Foreign Exchange Regulation Act, 1947 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 and Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above mentioned unclaimed goods or to Show Cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-29, 31, 33/60.]

S.O. 547.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were imported by sea from Goa (Portuguese possession in India) in contravention of the Rules and Notifications as mentioned against each:—

Serial No.	Date & Place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
313/59	10-5-1959 in the Sea off Kumta	Sub-Inspector' C. Ex., Kumta Port.	(1) Double jars of Goa country liquor. (2) Double jar $\frac{1}{2}$ filled of G.C. Liquor. (3) Double jar $\frac{1}{2}$ filled of G.C. Liquor. (4) Single jar full of Cashew Liquor (label bears mark "SHIP" C.S. Abel Per Eirada Pon Is Eca Lisboa). (5) Old torn dhoties (Panchas) (6) Old torn shirts (7) Empty liquor btl. (8) China crackers small bundles. (9) 1 earthen Pot & 1 brass pot.	44 1 1 1 5 3 2 4 2	Govt of India, Ministry of Finance, (C.R.) Notification 2/Camp/Cus dated 26-1-46 (in respect of item Nos. 1 to 4), and Govt. of India Finance Department C.R. Notification No. 64/Cus dated 17-9-32 (in respect of item No. 8) deemed to have been issued under Sec. 19 of the Sea Customs Act, 1878..

Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise, Land Customs, Goa Frontier Division, Belgaum why the above-mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924, read with Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above-mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-313/59.]

S.O. 548.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were imported by land from Goa (Portuguese possession in India) in contravention of the Rules and Notifications as mentioned against each:—

Serial No.	Date & Place of seizure	By whom detected	Description of goods	Quan- tity	Rules Contravened
1	2	3	4	5	6
30/60	Chorla jungles 28-12-1959.	Jamadar Chow- key No. 67.	Press-buttons of '555' mark made in Germany'	52 bdls. of 48 cards each i.e., 624 Gros	Sec. 5(1) of the Land Customs Act 1924 Govt. of India, Ministry of Com- merce and Industry, Import Control Order No. 17/55 of 7-12-1955 issued under Sec. 3 & 4-A of the Imports & Exports Control Act, 1947 and fur- ther deemed to have been issued under Sec. 19 of the Sea Customs Act, 1878.

Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise, Land Customs, Goa Frontier Division, Belgaum why the above-mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 and Section 167(8) of the Sea Customs Act, 1878 read with Section 3(2) of the Imports and Exports Control Act, 1947 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above-mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-30/60.]

E. R. SRIKANTIA, Asstt. Collector.

OFFICE OF THE SUPERINTENDENT OF CENTRAL EXCISE AND LAND CUSTOMS VAPI.

S.O.549 Whereas it appears that the marginally noted unclaimed goods which were seized by the Police and Customs at Umbergaon Railway Station on 10th November, 1959, were imported by land from Daman (Portuguese territory in India) in contravention of section 5(i) of the Land Customs Act, 1924 and the Government of India, Ministry of Commerce and Industry Imports (Control), Order No. 17/55 of 7-12-1955 issued under the Imports and Exports (Control) Act, 1947 and deemed to have been issued under section 19 of the Sea Customs Act, 1878. Now therefore any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Bombay Division III, Central Excise Building, Queens Road, Opposite Churchgate Station, Bombay why the abovementioned goods should not be confiscated under section (5) 3 of the Land Customs Act 1924 read with section 167(8) of the Sea Customs Act, 1878 and

why a penalty should not be imposed on him under section 7(1)(c) of the Land Customs Act, 1924 read with section 167(8) of the Sea Customs Act, 1878.

2. If such an Owner fails to turn up to claim the abovementioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette/Bombay State Government Gazette, the goods in question will be treated as unclaimed property and the case will be decided accordingly, by the Assistant Collector of Central Excise and Land Customs, Bombay Division III.

[No. VIII(b)15-245/59.]

Sd. Illegible
Superintendent.

**BOMBAY CENTRAL EXCISE COLLECTORATE
NOTIFICATION**

S.O. 550.—In exercise of the powers conferred upon me by Rule 233 of the Central Excise Rules, 1944, and in supersession of the Collectorate Notification No. CER/233/CX/3/58, dated the 25th June, 1958, I hereby direct that every licensed manufacturer of Vegetable Non-Essential Oils, within the jurisdiction of the Central Excise Collectorate, Bombay, shall maintain a true account of oil-seeds received, used in the manufacture of Vegetable Non-essential Oils and sold direct and the bye-products viz. oil cakes obtained therefrom in the form appended to the Notification. Such manufacturers, are also directed that they shall make proper arrangements for weighment of seeds and oil cakes obtained in addition to the weighment or volumetric measurement of oil produced.

**RAW MATERIAL ACCOUNT SHOWING THE DAILY ACCOUNT OF OIL-SEEDS
USED AND OIL EXTRACTED.**

Date	Nuts Oil seeds				Quantity of oil received after crushing	Oil Cakes		Remarks		
	Receipts from		Issues for			Quantity obtained	Quantity issued			
	Decorticator	Outside	Crushing	Direct Sales						
I	2(a)	2(b)	3(a)	3(b)	4	5	6	7		
	<i>Abstract at the end of the each month</i>				Seeds	Oil	Oil-Cakes			
	<i>Balance in the beginning of the month</i>									
	<i>Add Receipts during the month</i>									
	<i>Total</i>									
	<i>Less issues during the month</i>									
	<i>Balance at the end of the month</i>									

REMARKS : Separate account should be maintained for each variety of seed.

[No. CER-233/CX/160.]
G. KORUTHU, Collector.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, DELHI

New Delhi, the 25th February 1960

CENTRAL EXCISE

S.O. 551.—In supersession of Notification S.O. 949 published in the Gazette of India, Part II, Section 3(ii), dated the 2nd May, 1959, I, in exercise of powers conferred on me under Rule 5 of Central Excise Rules, 1944 empower the officers of Central Excise Collectorate, Delhi, specified in Column I of the subjoined table to exercise within respective jurisdictions the power of "Collector" under the rule enumerated in Col. 2.

TABLE

Rank of officer (1)	Central Excise Rule (2)	Limitations, if any (3)
Superintendent . . .	96—O	Under rule 96-O(4) the Superintendent shall exercise the powers only in respect of cases where the delay in presenting the A.S.P. is not more than 15 days over the statutory period. Where the delay is more than 15 days, the Superintendent should report full facts of the cases to the Assistant Collector who after considering the merits of the case may either direct the Superintendent to condone the delay or may order withholding of permission.
Superintendent . . .	96—Q	Under the rule 96-Q(2), the power of condonation of delay in filing A.R. 7 and/or making weekly deposits shall be exercised by the Superintendent provided the delay is not more than 5 days. If the delay is more than that the case should be reported to the Assistant Collector and action should be initiated under Rule 96(s).

[C. No. VI(Y)/6/5CE/60/8982.]

S.O. 552.—In exercise of powers conferred on the under Rule 5 of the Central Excise Rules, 1944, I, empower the officers of Central Excise Collectorate, Delhi, specified in column 1 of the subjoined table to exercise within respective jurisdictions the power of a Collector under the rule enumerated in Col. 2.

TABLE

Rank of officer	Central Excise Rule	Limitation, if any
Superintendents . . .	92(A)	..

[C. No. VI(J)/16/5CE/60/8984.]

B. D. DESHMUKH, Collector.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 25th February 1960

S.O. 553.—In exercise of the powers conferred by sub-section (3) of section 1 of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby appoints the 1st day of April, 1960, as the date on which the provisions of the said Act shall come into force in respect of the Indian Railways in so far as they undertake the transport of passengers, animals or goods.

[No. SMC-15(20)/59.]

K. V. VENKATACHALAM, Jt. Secy.

New Delhi, the 29th February 1960

S.O. 554.—In exercise of the powers conferred by section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby re-appoints Shri W. R. Natu, as a member of the Forward Markets Commission, Bombay, from 21st February, 1960, until further orders and nominates him to be the Chairman of the Commission.

2. This Ministry's notification S.O. 480, dated the 20th February, 1960, is hereby cancelled.

[No. 27(1)-TMP/60.]

K. RAJARAMAN, Under Secy.

ORDER

New Delhi, the 26th February 1960

S.O. 555/IDRA/18G/32/60.—In exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes, the following amendments in the Cement Control Order, 1958, namely:—

In the Schedule to the said Order,—

(i) for the entries against serial No. (17), the following entries shall be substituted, namely:—

“(17) Messrs. K.C.P. Ltd., Macherla—Rs. 60·50.”

This amendment shall be deemed to have taken effect from the 1st day of July, 1958;

(ii) for the entries against serial No. (18), the following entries shall be substituted, namely:—

“(18) Messrs. Panyam Cements & Mineral Industries Limited, Betamcherla—Rs. 69·50.”

This amendment shall be deemed to have taken effect from the 11th day of August, 1958;

(iii) for the entries against serial No. (19), the following entries shall be substituted, namely:—

“(19) Messrs. Birla Jute Manufacturing Co. Limited, Cement Department—Satna Cement Works, Satna—Rs. 63·50.”

This amendment shall be deemed to have taken effect from the 21st day of March, 1959.

[No. Cem.8(44)/57,
No. Cem.8(47)/57,
No. Cem.8(32)/58.]

M. L. GUPTA, Under Secy.

ORDERS

New Delhi, the 26th February 1960

S.O. 556/**IDRA/6/18**.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri P. N. Rajabhoj, M.P. and Shri N. R. M. Swamy, M.P., to be members of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 129, dated the 12th January, 1960, for the scheduled industries engaged in the manufacture or production of Leather, leather goods and pickers, and directs that the following amendments shall be made in the said Order, namely:—

In paragraph 1 of the said Order, after entry No. 22 relating to Shri N. S. Kajrolkar, the following entries shall be inserted, namely:—

"22A. Shri P. N. Rajabhoj, M.P., President, Bharat Dalit Sevak Sangh, 207, Ghorpade Peth, Poona-2."	"consumers"	"Member"
"22B. Shri N. R. M. Swamy, M.P., Railway Station Road, Ranipet (N.A. District)."	"consumers"	"Member"

[No. 4(2)IA(II)(G)/60.]

New Delhi, the 1st March 1960

S.O. 557/**IDRA/6/11**.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Kisan Tulpule and Shri Dinkar Desai to be members of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 2506/**IDRA/6/11**, dated the 3rd November 1959, for the scheduled industry engaged in the manufacture and production of textiles made of artificial silk, including artificial silk yarn, and directs that the following amendments shall be made in the said Order, namely:—

(i) In paragraph 1 of the said Order after entry No. 9 relating to Shri G. R. Podar, the following entries shall be inserted, namely:—

"10. Shri Kisan Tulpule, General Secretary, Mill Mazdoor Sabha, Bombay-39".	"persons employed in industrial under- takings"	"Member"
"10A. Shri Dinkar Desai, General Secretary, Surat Silk Mill Workers' Union, C/o Mazdoor Panchayat, Viramgami Mo- halla, Zampa Bazar, Surat, (Bombay State)".	"Do."	"Do."

[No. 4(49)IA(II)(G)/59.]

S.O. 558/**IDRA/6/16**.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints (1) Shri H. D. Sikand, who in the opinion of the Central Government is a person having special knowledge of matters relating to the technical or other aspects of the scheduled industries engaged in the manufacture or production of Automobile Ancillary Industries and Transport Vehicle Industries, and (2) Shri H. N. Trivedi and (3) Shri Madhav Dattatraya Mokashi who, in the opinion of the Central Government are persons capable of representing the interest of persons employed in industrial undertakings in the said scheduled industries as members of the Development Council established for the said scheduled industries and makes the following amendments in the Order of

the Government of India in the Ministry of Commerce & Industry Order S.O. 758/IDRA/6/16, dated the 4th April 1959, namely:—

(i) In paragraph 1 of the said Order, after entry No. 15D relating to Shri D. D. Suri, the following entries shall be inserted; namely:—

"15E. Shri H. D. Sikand, Sikand & Co., Automobile Engineers, 50, Janpath, Queensway, New Delhi-1";

"15F. Shri H. N. Trivedi, President, Bombay Automobile Employees Union, Mazdoor Karyalaya, Bombay-4."

"15G. Shri Madhav Dattatraya Mokashi, 70, Takaya Ward, Kurla, Bombay-70".

"being persons who in the opinion of the Central Government are capable of representing the interests of persons employed in industrial undertakings in the said scheduled industries."

(ii) Paragraph 1(b) shall be omitted.

[No. 4(17)IA(II)(G)/59.]

CORRIGENDA

New Delhi, the 26th February 1960

S.O. 559.—In the Ministry of Commerce and Industry Order No. S.O. 129, dated the 12 January 1960, published in the Gazette of India, Part II—Section 3, sub-section (ii), dated the 16th January, 1960:—

For "15. Shri R. T. Mirchandani, Agricultural Marketing Adviser, Directorate of Marketing and Inspection, New Secretariat Buildings, Nagpur."	"-do-	"-do-
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Read "15. Shri N. P. Chatterji, I.A.S., Agricultural Marketing Adviser, Directorate of Marketing and Inspection, New Secretariat Buildings, Nagpur."	"-do-	"-do-
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[No. 4(2)IA(II)(G)/60.]

New Delhi, the 1st March 1960

S.O. 560.—In the Ministry of Commerce and Industry Order No. S.O. 274, dated the 23rd January, 1960, published in the Gazette of India Part II Section 3 sub-section (ii) dated the 30th January, 1960:—

For "16A. Dr. K. K. Talwar, Chief En- gineer, The Paper Products Ltd., 13-14, Ajmeri Gate, extension, New Delhi."	"technical knowledge"	"Member"
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Read "16A. Dr. K. K. Talwar, Chief En- gineer, The Paper Products Ltd., Vaswani Mansions, 5th Floor, 120, Dinshaw Vaccha Road, Bombay-1."	"technical knowledge"	"Member"
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[No. 4(72)IA(II)(G)/59.]

S.O. 561.—In the Ministry of Commerce and Industry Order No. S.O. 2830, dated the 17th December, 1959, published in the Gazette of India Part II Section 3 sub-section (ii) dated the 26th December, 1959:—

For "2. Shri G. D. Somani, M. P., 58,
Sunder Nagar, Mathura Road,
New Delhi."

"owners of industrial "Member"
undertakings".

Read "2. Shri B. D. Somani, 58, Sunder
Nagar, Mathura Road, New Delhi."

"owners of 'industrial "Member"
undertakings"

[No. 4(72)IA(II)(G)/59.]

K. C. MADAPPA, Dy. Secy

(Office of the Jt. Chief Controller of Imports Bombay)

NOTICE

Bombay, the 19th August 1959

S.O. 562.—It is hereby notified, that in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce & Industry propose to cancel licence No. E-827560/57/EI-Jt. C.C.I.B., dated the 1st July, 1959 valued at Rs. 500/- (Rs. Five Hundred only) for the import of Sodium Bicarbonate, from the Soft Currency Area except South Africa, granted by the Joint Chief Controller of Imports & Exports, Bombay to M/s. C. K. Shah & Co., 101, Princess Street, Bombay-2, unless sufficient cause against this is furnished to the Joint Chief Controller of Imports & Exports, Gulam Mohd. Bldg., Nicol Road, Ballard Estate, Bombay-1 within 10 days of the date of issue of this notice by the said M/s. C. K. Shah & Co., 101, Princess St., Bombay-2, or any Bank, or any other party, who may be interested in it.

In view of what is stated above M/s. C. K. Shah & Co., 101, Princess St., Bombay-2, or any Bank, or any other party, who may be interested in the said licence(s) No. E-827560/57/EI/Jt.C.I.B. dated 1st July 1959 are hereby directed not to enter into any commitments against the said licence and return it immediately to the Joint Chief Controller of Imports and Exports, Gulam Mohd. Bldg., Nicol Road, Ballard Estate, Bombay-1.

[No. 220-Bom/59/I(1)973.]

M/s. C. K. Shah & Co.,
101, Princess Street,
Bombay-2.

(Sd.) Illegible,
Dy. Chief Controller.

ERRATUM

The S.O. No. of Notification No. SMC-15 (25)/59/2, dated 18th February, 1960 of the Ministry of Commerce and Industry published in the Gazette of India Part II—Section 3 (ii) dated 27th February, 1960, on page 832, may be read as "479" in place of "379".

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 19th February 1960

S.O. 563.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Librarian, General Central Service Class III (Ministerial) in the Directorate of Plant Protection Quarantine and Storage, under the Ministry of Food and Agriculture, (Department of Agriculture), namely:—

1. **Short title.**—These rules may be called the Directorate of Plant Protection Quarantine and Storage, Ministry of Food and Agriculture (Recruitment to certain Class III Ministerial Posts) Rules, 1960.

2. Application.—These rules shall apply for recruitment to the post specified in column 1 of the Schedule annexed hereto.

3. Number, classification and scale of pay.—The number of posts, classification of the said posts and the scales of pay attached to them shall be as specified in columns 1 and 2 of the said Schedule.

4. Method of recruitment, age limit and other qualifications.—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 4 to 6 of the Schedule aforesaid:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of scheduled castes/tribes, displaced persons and other special categories in accordance with the general orders issued from time to time by the Government of India.

5. Disqualifications.—No male candidate, who has more than one wife living and no female candidate who has married a person having already a wife living, shall be eligible for appointment to any of these posts:

Provided that the Government of India may, if it is satisfied that there are special grounds for doing so, exempt any such candidate from the operation of this rule.

SCHEDULE

1. Name of the post or service with scales of pay.	Librarian. General Central Service Class III non-gazetted. Rs. 100—8—140—10—250.
2. Number of posts.	One.
3. Method of Recruitment.	100% direct recruitment. Central Government servants possessing the required educational qualifications and experience to be considered for appointment.
4. Age limit.	Not exceeding 25 years. Age limit will be relaxed in case of permanent Government servants to the extent of their service under the Central Government, provided they fulfil the required educational qualifications.
5. Qualifications required.	Degree of a recognised University together with a diploma in Library Science. Relaxable in suitable cases.
6. Period of Probation.	2 years.

NOTE.—Direct appointments shall be subject to the orders regarding special representation issued by the Government of India from time to time.

[No. 2-9/60-PPS.]

V. S. NIGAM, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

MERCHANT SHIPPING

New Delhi, the 26th February 1960

S.O. 564.—In exercise of the powers conferred by sub-section (1) of section 7 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby appoints with effect from the 1st April 1960 Dr. Nagendra Singh, I.C.S. to be the Director General of Shipping.

[No. 30-ML(8)/59.]

S.O. 565.—In exercise of the powers conferred by sub-section (2) of section 1 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby appoints the 1st day of April 1960 as the date on which the following provisions of the said Act shall come into force, namely:—

- (1) section 7;
- (2) the whole of Part XIV, namely sections 405 to 414 (both inclusive);
- (3) section 436 (in so far as it relates to offences mentioned against S. Nos. 122 to 125 (both inclusive), sections 437, 438, 439, 440, 441, 442, 447 and 448;
- (4) sections 456, 457, 458, 459 and 460; and
- (5) so much of section 461 and of Part I of the Schedule as relate to the Control of Shipping Act, 1947 (26 of 1947).

[No. 30-ML(8)/59.]

S. K. GHOSH, Dy. Secy.

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 24th February 1960

S.O. 566.—In pursuance of sub-section (3) of Section 6 of the Bombay Port Trust Act, 1879 (Bombay Act VI of 1879), it is hereby notified that in accordance with the provisions of sub-section (1) of Section 13 of the said Act, Shri Pratap Bhogilal has been elected by the Millowners' Association, Bombay as the Association's representative on the Bombay Port Trust Board with effect from 15th February 1960 vice Shri Arvind N. Mafatlal, resigned.

[No. 8-PG(6)/60.]

New Delhi, the 26th February 1960

S.O. 567.—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby authorises Shri Jaffermeia Moosa Kortiwala, pilot of the Bombay Port Trust, to pilot vessels in the Port of Bombay.

[No. 8-PE(6)60.]

MISS I. INDIRA, Under Secy.

(Department of Transport)

(Transport Wing)

(MERCHANT SHIPPING)

New Delhi, the 5th March 1960

S.O. 568.—In exercise of the powers conferred by section 21 of the Indian Merchant Shipping Act, 1923 (21 of 1923), the Central Government hereby makes the following further amendment in the Rules to regulate the granting of Certificates of Competency to Masters and Mates in the Mercantile Marine, published with the notification of the Government of India in the late Ministry of Transport No. S.R.O. 1965, dated the 12th June, 1954, namely:—

In the said Rules, for rule 53, the following shall be substituted, namely:—

"53. SERVICE IN NAVAL TRAINING COLLEGES.—Time spent by Naval Cadets at the National Defence Academy, Khadakwasla or at the Naval College at Dartmouth or the Royal Australian Naval College will subject to the conditions laid down in rule 52, be permitted to count as equivalent to one-half of the same time spent in service at sea, and a similar allowance will be made in respect of time spent on

courses on shore after promotion to Acting Sub-Lieutenant, subject to the condition that the total remission of sea service in respect of all time spent on shore shall not exceed twelve months. Time spent in shore training will not be accepted in lieu of watchkeeping service"

[No. 67-MA(1)/60]

S. K. VENKATACHALAM, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 9th February 1960

S.O. 569.—In exercise of the powers conferred by Section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954) the Central Government hereby appoints Shri H. R. Nair as Deputy Chief Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act with effect from 9th February 1960.

[No. 11-A(3)/CSC/AI-60/I]

S.O. 570.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoints Shri H. R. Nair as Deputy Chief Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act with effect from 9th February 1960

[No. 11-A(3)/CSC/AI-60/II]

M. J. SRIVASTAVA, Under Secy

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 24th February 1960

S.O. 571.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial disputes between the employers in relation to Shri B. B. Sarkar, Tramming Contractor, Bhutgoria Colliery and his workmen.

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No 69 of 1959

PARTIES:

Shri B. B. Sarkar, Tramming Contractor, Bhutgoria Colliery,

AND

his workmen.

Dhanbad, the 12th February 1960

PRESENT:

Shri G. Palit, M.A.B.L., Chairman, Central Government Industrial Tribunal, Dhanbad.

APPARANCES:

Shri B. N. Sharma, Member, Central Executive Committee, Bihar Colliery Mazdoor Sangh, for the workmen.

No appearance for the employer.

STATE: BIHAR.

INDUSTRY: COAL.

AWARD.

The Government of India, Ministry of Labour and Employment, by Order No. LR.II-2(160)59 dated 20th November 1959 made in exercise of the powers conferred under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (XIV of 47) referred for adjudication the above industrial dispute to Shri Satim M. Merchant. On his services as Presiding Officer, Industrial Tribunal, Dhanbad, ceasing to be available at Dhanbad the Government of India, Ministry of Labour and Employment, acting under Section 33B(1) of the said Act withdrew the said proceedings in relation to the dispute and transferred the same to me as Industrial Tribunal at Dhanbad by its Order No. 4/47/59-LRII dated New Delhi the 13th January 1960.

2. The issue which was disclosed in the schedule to the Order of reference stands as follows:—

"What should be the wage structure and designation of Sarvashri K. P. Bhattacharjee, Rathu Napit, Nildhari, Deo Kishan, Rampat Sirkar, R. L. Tiwari and Narain Mitra, working under Shri B. B. Sarkar, Tramming Contractor of Bhutgoria colliery, keeping in view of the Award of the All India Industrial Tribunal (Colliery Disputes), as modified by the decision of the Labour Appellate Tribunal on appeals against the said award?"

3. It is the contention of the employees as expressed in their letter to the Conciliation Officer, Dhanbad, as per letter No. I(3A)59-60/3092-94 dated 13/24th December 1958 that they had so long been designated as traffic workers. To deprive them of the benefits of the Coal Award, their designation has been changed as 'Supervisors'. The workmen claim that they should be re-designated as Traffic Munshis and should be paid the rate of clerical grade 'C' of the Majumdar Award. They had also claimed in that letter the operation of the Majumdar Award with retrospective effect in their case. The employer did not file any written statement but sent a letter on 29th January, 1960 from Purulia that he had no longer been a tramming contractor, having resigned as far back as in September 1959 because of loss incurred. His connection with the said colliery has been served by a notice dated 26th September 1959 from the Agent of the colliery. A copy of the said notice has been appended to the aforesaid letter.

4. The position becomes abundantly clear that if Shri B. B. Sarkar had ceased to be a contractor of the Bhutgoria colliery before the date of the reference or before the date when the cause of action had arisen, then the present action would not lie and the Tribunal would have no jurisdiction to go into the matter. But I find that what is stated in the said letter stands contradicted even by the letter of the Agent appended to the said letter. In that letter of the Agent it has been disclosed that his difficulties were appreciated but the contract should be continued till the end of December 1959 after which the contract will be terminated. But no letter of actual termination of the said contract is forthcoming before the Tribunal. The date of the present reference is 20th November 1959. So on that date the said contract between the Agent Shri Taneja and Shri B. B. Sarkar was certainly subsisted. That being so, the employees in the present case can very well prop up their claim against Shri B. B. Sarkar in the present reference. Even if the contract had subsequently come to an end that would not oust the jurisdiction of the present Tribunal to go into the matter. Once the present Tribunal has seisin of the matter, its jurisdiction continues till the award it passes. That being the position, the contention of the opposite party as expressed by the aforesaid letter and the notice of the Agent cannot prevail. I find it against Shri B. B. Sarkar.

5. Turning to the merits of the case, I find from the Exhibits marked 1 series that all of them were designated as S/T traffic. There is evidence of Deo Krishan Singh, P.W.I. that they were working as 'Traffic Munshi' ever since 1950. It was only in 1958 when the Majumdar Award came to be passed that they were termed "Supervisors", the wages remaining the same as before, as also the functions they had been hitherto discharging. They claim that they should be re-designated as munshis and be given the benefit of Grade III under the Majumdar Award. P.W.2 Ambika Singh who acts as a Munshi in Bhutgoria colliery since 1947 has also supported this contention. He says that these people work on the surface as traffic employees termed 'Munshis'. When the munshis are absent those on traffic duty officiate in their place. These people in question discharge

such functions of munshis. He also identifies duty cards as Exhibit-1 series. This evidence is practically one sided. This being the position I see no reason why these people should be designated as supervisors in place of munshis in the teeth of their opposition. So I hold that they were traffic munshis. As such they come under Grade III of the Majumdar Award as per Appendix XVI thereof at page 1327 of the Gazette Extraordinary dated 26th May 1956. It could not be shown before me that there is any modification of the award in this respect by the Labour Appellate Tribunal of India. So I answer the issue in favour of these workmen finding that their designation would be as "traffic munshi" and their wage structure would be as of Grade III as per Appendix of the Award of the All India Industrial Tribunal (Colliery Disputes).

6. Regarding the retrospective operation to be given to the Award, I do not think that the issue as framed warrants me to give any decision on that point. Of course, that was what we find in the claim of the employees addressed to the Conciliation Officer, but it may very well be that the Ministry of Labour and Employment while making the reference did not want to include that part of the claim in the present reference and narrowed it down to what it now stands. I cannot say that retrospective operation in such cases can be included as an incidental matter to the adjudication and gone into. So I do not extend the scope of the present award to any past date and I make it prospective.

7. I therefore give my award in terms aforesaid this the 12th day of February 1960.

Dhanbad,
The 12th February 1960.

G. PALIT, Chairman.
Central Govt. Industrial Tribunal, Dhanbad.

[LRII|2|160|59]

New Delhi, the 29th February 1950

S.O. 572.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Katras Choitodih, Loyabad, Mudidih, Badruchak, Bhagaband and Saltore Collieries and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD.

REFERENCE No. 59 of 1959.

PARTIES

Employers in relation to the Katras Choitodih, Loyabad, Mudidih, Badruchak, Bhagaband and Saltore Collieries.

Their workmen.

PRESENT

Shri G. Palit, M.A., B.L., Chairman, Central Government Industrial Tribunal, Dhanbad.

Dhanbad, the 19th February 1960.

APPEARANCES:

Shri S. S. Mukherjea, B.Sc., B.L., Advocate, assisted by Shri J. L. Sinha, Group Personnel Officer, M/s. Bird & Co. (P) Ltd., for the employers.

Shri B. N. Sharma, Member, Executive Committee, Colliery Mazdoor Sangh, Dhanbad,—for the workmen.

State: Bihar.

Industry: Coal.

AWARD

The Government of India, Ministry of Labour and Employment, by its Order No. F. No. LR.II-1(118)/58, dated the 28th September, 1959, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), referred for adjudication the aforesaid industrial dispute to Shri Salim M. Merchant. But as his services ceased to be available and also on grounds of convenience of parties and early disposal, the

dispute was withdrawn under Section 33B(1) of the aforesaid Act and referred again to me as Industrial Tribunal, Dhanbad, for disposal by its Order No. 4/47/59-LRII, dated 13th January, 1960.

2. The matter to be adjudicated was incorporated in the schedule to the said order of reference and stood as follows:—

"(a) Whether the management of Katras Chotodih, Loyabad, Mudidih, Badruchak, Bhagaband and Saltore collieries are justified in withdrawing the old privilege or sick leave with pay for unlimited period enjoyed by their monthly paid staff upto December, 1956?"

(b) If not, to what relief the workmen are entitled?"

3. Notices were issued as usual. The employed filed its written statement on 19th October, 1959. After several adjournments, the case was taken up for hearing on 12th February, 1960. Witnesses were examined and oral evidence including argument was heard. Oral evidence including arguments were concluded on that day and the award was reserved.

4. According to the written statement filed by the union before the Conciliation Officer, it appears that the monthly paid staff of those collieries used to enjoy sick leave with full pay in case they fell sick and there was a certificate in support given by qualified medical practitioners. This is claimed to have become one of the service conditions of such employees. But the company is said to have withdrawn this facility and started paying sick khoraki only in place of full wages as before. This withdrawal of privilege is said to have amounted to alteration of service conditions and ran counter to the provisions contained in sub-para (1) of para 351 of the Labour Appellate Tribunal's decision. These employees wanted the *status quo* to be maintained and claimed full wages in place of sick khoraki now sought to be introduced. The employers emphatically challenged that the monthly paid staff was ever granted sick leave with pay for unlimited period. They were given sick leave with pay only on proper certificate from the company's medical officer and that too, at the discretion of the management. They alleged that in the coal industry in general no sick leave with pay for an unlimited period is ever granted. The All India Industrial Tribunal (Colliery Disputes), nor the Labour Appellate Tribunal has given any decision regarding the sick leave with pay. It is never the condition of the service of monthly paid staff and so the company is within its rights to curtail the said period or to impose conditions.

5. I have before me two letters of the Manager bearing on the matter. One is dated 3rd January, 1957, from the Chief Mining Engineer, Sijua, and the other is dated 12th December, 1957, from the same quarter. On the basis of these two letters the management pointed out that it was granting sick leave with pay to the monthly paid staff at their discretion on full pay where the absence of work was jointly performed by his colleagues. It is prepared to continue this practice upto one month provided it does not involve the engagement of additional hands or the payment of overtime. Sanction to the grant of sick leave with pay over one month in a year must be obtained and the application must set forth the nature of the ailment and its probable duration. By the second letter dated 25th December, 1957, which was in continuation of the above, it was decided to pay sick khoraki at the daily rate to monthly paid staff who fell sick at the colliery and were under the treatment of the colliery doctor and whose absence from duty has entailed engagement of *badli* or payment of overtime. From the implication of these two letters it is clear that the management was not prepared to incur any additional expenditure on the score of a sick monthly paid staff when it has already appointed a substitute in place of such sick employee. In such cases, it is prepared to pay only sick khoraki at the daily rate. It is contended by the workmen that in case of monthly paid staff going on sick leave, the vacancy is more often than not, required to be filled up by taking a substitute. So practically the position becomes that sick leave will be totally denied. By the second letter the position was a bit relaxed. Sick khoraki was provided for in such cases but that is hardly adequate. Now the point is whether it means a curtailment of the existing privilege and whether it should be interfered with.

6. That it means a curtailment of the existing privilege can hardly be denied. From the list of exhibits filed by the management I find that sick leave with full pay was given on the basis of colliery doctor's certificate but the period was always determined by the management according to the gravity of the disease and according to its discretion. So the full pay was there. But only the period remained to be decided by the management. But now the management wants

it to make the position more rigid. It wants to reduce the full pay leave in cases of sickness supported by a medical certificate to merely sick khoraki at the daily rate where a substitute has been taken. In other words, no matter what the gravity of the disease and its probable duration was, which previously used to govern such matter, the matter now has been made to hinge upon whether any substitute is taken or not in the said vacancy. This is certainly a departure from the existing practice.

7. The management contends that as it was always, at the discretion of the management to determine the period of sick leave, the manager can very well exercise discretion even to the extent of negativing the prayer for leave or, at all events, grant the leave on sick khoraki rate. So the management argues that it is within its rights to decide the matter of sick leave in any way it pleases. It argues that leave cannot be claimed as a matter of right. So where no right is infringed, no question of redress can lie at the hands of the Tribunal. But I am afraid this position can never be maintained. Such obtuse attitude was taken up by the management, if I may say so, originally in the matter of granting bonus also. The company in those days contended that it was a bounty. It was competent to withhold it as it pleased. But later on it was found that when bonus was made the subject matter of a dispute, it became legal claim. It depends more on profits than on discretion of the management. Nobody can deny that leave cannot be claimed as a matter of right. But that is also true in the case of privilege leave or earned leave. But such leave has got statutory sanction and claim to have such leave can no longer be denied by the management. So sick leave till it is placed on a statutory basis must derive its force or strength from the existing practices. I could have decided what should be the amount of sick leave in the present case. But that I refrain from doing, firstly because the issue does not warrant me to make any decision and secondly, it is an industry-wise matter to be decided in one way or the other. To decide it in one single or several concerns would give rise to or foment industrial unrest on a large scale. It will never conduce to or promote industrial peace. Keeping myself within the ambit of the present issue I decide as follows.

8. The issue as it is, I must confess, is not very happily worded. The management is justified in saying that as there was no privilege of sick leave with pay for unlimited period, the justification of its withdrawal can never arise. There can be no question of stopping a thing when it never had any existence. So the issue framed is liable to be answered in the affirmative that way. But if I stop short like this I should be shirking the issue or the dispute. The dispute as I have exposed at the beginning, is made clear by the two letters of the manager already referred to. So it was not an imaginary thing which the workmen were claiming here, but they had a real grievance. That cannot be made a short shrift of in the above manner. Next, if I construe the issue as meaning that 'unlimited period' stands for the period with no limit fixed, in that case also, the management says that the last word about the period of leave depended upon it. So there can be no claim in respect of such an indefinite matter. That is why I sought to clarify the position in the light of the letters referred to.

9. Of course from the exhibits in this case I find that it was the management which curtailed the period of leave asked for by the monthly paid staff. But it did so with an eye to the gravity of the disease and its probable duration as certified by the company's doctor and also on other considerations which were discretionary. But now the manager by the above letters wants to round off the position which makes the situation assume altogether a new complexion. The manager inclines to think that the guiding consideration would be whether the company is put to any extra expenditure by taking a substitute. But this is a wrong angle from which to view the matter. An employee is bound to fall sick at one time or other in the course of his employment. That is why there is a provision for sick leave wages just as there is provision for earned leave wages for other necessities. In the case of earned leave wages also the management is put to certain extra expenditure. But the management cannot grudge that. So why should the company grudge in case of sick leave? Only because it has not got any statutory sanction or is guaranteed by any Tribunal's decision, it cannot place it on altogether a different footing.

10. Having regard to these facts and circumstances, (a) I answer the issue saying that the management is not justified in interfering with the existing privilege of sick leave as in vogue prior to the changed condition sought to be introduced by the aforesaid two letters. So the *status quo ante* immediately preceding the said letters should be restored in the matter of sick leave with pay in the case of monthly paid staff. This will continue till such time as this matter

is decided otherwise by an industry-wise decision governing the matter, (b) I cannot, of course, grant any relief in cases where sick leave with pay has already been denied. That would introduce needless complications. So I want to make my award prospective from the date it becomes operative. I make no order as to costs.

DHANBAD;

G. PALIT, Chairman,

The 19th February, 1960.

Central Government Industrial Tribunal, Dhanbad.

[No. LRII[1]118[58.]

S. N. TULSIANI, Under Secy.

New Delhi, the 26th February 1960

S.O. 573.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st November, 1952, to the factory known as Bhartia Electric Steel Company Limited, 8, Swinhoe Street, Calcutta, there was in existence a provident fund common to the employees employed in the factory to which the said Act applies and the employees in its Head Office situated at 4, Old Court House Street, Calcutta-1;

Now, therefore, in exercise of the powers conferred by section 3 if the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the said Head Office.

[No. 7(8)60-PF.II.]

P. D. GAIHA, Under Secy.